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PATENT AND TRADEMARK OFFICE

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APPLICANT: Albert K. Chin  
APPLICATION NO.: 09/635,345  
FILING DATE: August 9, 2000  
TITLE: Apparatus and Methods for Subxiphoid Endoscopic Access  
EXAMINER: Thomas C. Barrett  
GROUP ART UNIT: 3738  
ATTY. DKT. NO.: 80121-07179

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner For Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date shown below:

Dated: 1/23/04 By: Albert C. Smith  
Albert C. Smith, Reg. No.: 20,355

MAIL STOP NON-FEE AMENDMENT  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VIRGINIA 22313-1450

RESPONSE TO NOTICE REGARDING  
NON-COMPLIANT AMENDMENT

Sir:

This submission is in response to the Notice of Non-Compliant Amendment mailed January 7, 2004 indicating non-compliant amendments to the claims as set

forth in the Amendment document filed December 22, 2003 in the patent application identified above.

The corrected portion of the amendment to the claims is re-submitted herewith with proper status identifiers.